

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JON MAJOR,

Plaintiff,

v.

CHERYL STRANGE,

Defendant.

Case No. 3:23-cv-05307-TMC-MLP

ORDER DENYING MOTIONS FOR MORE
DEFINITE STATEMENT AND FOR
RELIEF FROM DEADLINE

Before the Court is pro se Plaintiff Jon Major's motions for more definite statement and for relief from deadline. Dkt. 56, 57. For the following reasons, both motions are DENIED.

In his motion for a more definite statement, Mr. Major asks the Court to inform him which statute of limitations is applicable to the refiling of his federal habeas petition. This issue was not relevant to the dismissal of this action, and the motion therefore amounts to a request for legal advice, which the Court cannot provide to litigants. *See Jacobsen v. Filler*, 790 F.2d 1362, 1365–66 (9th Cir. 1986) ("Imposing an obligation [on the court] . . . to give advice would entail the district court's becoming a player in the adversary process rather than remaining its referee").

Mr. Major's motion for relief from a deadline asks the Court to extend his time to file a motion for reconsideration of the Court's order dismissing this action, to allow time for the Court

1 to rule on his motion for a more definite statement, and to allow him time to first file a motion to
2 alter or amend the judgment of dismissal under Federal Rule of Civil Procedure 59(e). This
3 motion is denied because the Court is ruling on his motion for more definite statement prior to
4 his deadline for filing a motion for reconsideration and because the interplay between the
5 deadlines set by this district's local rules and the Federal Rules of Civil Procedure is not good
6 cause to extend any of the deadlines. Moreover, motions for reconsideration and motions to alter
7 judgments are generally treated as the same motion in the Ninth Circuit. *See Am. Ironworks &*
8 *Erectors, Inc. v. N. Am. Constr. Corp.*, 248 F.3d 892, 898–99 (9th Cir. 2001) (“[A] motion for
9 reconsideration is treated as a motion to alter or amend judgment under Federal Rule of Civil
10 Procedure 59(e) if it is filed within [the time period that the Rule permits]. Otherwise, it is
11 treated as a Rule 60(b) motion for relief from a judgment or order.” (internal citation omitted)).

12 For the foregoing reasons, Mr. Major's motions for a more definite statement and for
13 relief from a deadline are DENIED. Dkt. 56, 57.

14 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
15 to any party appearing pro se at said party's last known address.

16 Dated this 3rd day of January, 2024.

17 
18 _____

19 Tiffany M. Cartwright
20 United States District Court Judge
21
22
23
24